

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-9 (Canceled).

Claim 10 (New): A communication method in a communication system including a base station and a terminal, the terminal transmitting a single data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmitting the single data as retransmission data to the base station, the communication method comprising:

acquiring including

the terminal transmitting a request for a resource assignment to the base station; and

the terminal acquiring an initial value of a resource for data transmission that can be reduced with time;

transmitting including, after acquiring the initial value at the acquiring,

the terminal not transmit the new data to the base station when the resource for data transmission is not remained; and

the terminal transmitting the new data to the base station when the resource for data transmission is remained; and

retransmitting including

the terminal transmitting, when the new data is transmitted to the base station at the transmitting and the NAK signal is received from the base station as a response to the new data, the retransmission data to the base station regardless of whether the resource for data transmission is remained upon transmitting the retransmission data.

Claim 11 (New): A communication system comprising:

a base station; and

a terminal that transmits a single data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmits the single data as retransmission data to the base station, wherein

the terminal includes

a resource acquiring unit that transmits a request for a resource assignment to the base station and acquires an initial value of a resource for data transmission that can be reduced with time;

a transmitting unit that does not transmit the new data to the base station when the resource for data transmission is not remained and transmits the new data to the base station when the resource for data transmission is remained, after the initial value is acquired by the resource acquiring unit; and

a retransmitting unit that transmits, when the new data is transmitted to the base station by the transmitting unit and the NAK signal is received from the base station as a response to the new data, the retransmission data to the base station regardless of whether the resource for data transmission is remained upon transmitting the retransmission data.

Claim 12 (New): A communication method for a terminal that builds a communication system with a base station, the terminal transmitting a single data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmitting the single data as retransmission data to the base station, the communication method comprising:

acquiring including

transmitting a request for a resource assignment to the base station; and

acquiring an initial value of a resource for data transmission that can be reduced with time;

transmitting including, after acquiring the initial value at the acquiring,

not transmitting the new data to the base station when the resource for data transmission is not remained; and

transmitting the new data to the base station when the resource for data transmission is remained; and

retransmitting including transmitting, when the new data is transmitted to the base station at the transmitting and the NAK signal is received from the base station as a response to the new data, the retransmission data to the base station regardless of whether the resource for data transmission is remained upon transmitting the retransmission data.

Claim 13 (New): A terminal that builds a communication system with a base station, the terminal transmitting a single data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmitting the single data as retransmission data to the base station, the terminal comprising:

a resource acquiring unit that transmits a request for a resource assignment to the base station and acquires an initial value of a resource for data transmission that can be reduced with time;

a transmitting unit that does not transmit the new data to the base station when the resource for data transmission is not remained and transmits the new data to the base station

when the resource for data transmission is remained, after the initial value is acquired by the resource acquiring unit; and

a retransmitting unit that transmits, when the new data is transmitted to the base station by the transmitting unit and the NAK signal is received from the base station as a response to the new data, the retransmission data to the base station regardless of whether the resource for data transmission is remained upon transmitting the retransmission data.